

# REGISTER



## *South Dakota Legislative Research Council*

*Volume 42*

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### **FILINGS IN THE LEGISLATIVE**

**RESEARCH COUNCIL'S OFFICE:** (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

#### ***Secretary of State: Board of Elections:***

(May 2, 2016) intends to amend rules to specify a location on the voter registration form for cancelling a voter's registration, allow for a large print version of the voter registration form, and repeal the overseas registrant form; provide new language for Americans Disability Act (ADA) information on numerous election notices; provide municipalities and schools with another reason for a vacancy on the notice of vacancy; amend the notice of deadline for filing primary nominating petitions to include the filing deadline for independent candidates; create forms for notice of vacancy for newly incorporated municipalities and notice of vacancy for conservation district supervisor; amend format for primary, general, alternate optical scan ballots, and municipal election ballots; amend the instructions to voters on the optical scan ballots; create a ballot format for county question elections; amend the guidelines for acceptance of petitions to include the requirement for statewide candidate petitions to be verified against the statewide voter registration file; amend the five percent random sample process to include statewide candidates and use an up to date process for how the random sample is determined; create a new affidavit form for sponsors of statewide ballot measures; remove outdated language in the initiated constitutional amendment petition or initiated petition for repeal of constitutional provision and remove a statute reference that is no longer in state law; create petition for schools to implement a school sentinel program; repeal

requirement for submission of a voter center plan and repeal the denied application process; amend the format for the official record of absentee ballots to allow both electronic and paper records and remove the requirement to be linked to the master voter registration file. The general authority for these rules, as cited by the board, is SDCL §§ 2-1-16, 6-16-8, and 12-1-9.

A public hearing will be held at the South Dakota Association of County Officials Building, 211 E. Prospect Ave., Pierre, South Dakota, on May 23, 2016, at 10:30 a.m. CT. Copies of the proposed rules may be obtained without charge from and written comments sent to the State Board of Elections, c/o Office of the Secretary of State, 500 East Capitol, Suite 204, Pierre, South Dakota 57501. Written comments must be received on or before May 23, 2016, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the office can make arrangements are asked to call (605) 773-3537 at least 48 hours before the hearing.

#### ***Department of Revenue: South Dakota Lottery***

**Commission:** (May 4, 2016) intends to amend rules to allow applications, registrations, and disclosure forms, that are required to be submitted to the Lottery for purposes of determining qualification for licensure, to be submitted using an electronic signature; adopt rules to offer the EZ Match instant win option in conjunction with any on-line game authorized by the Lottery Commission at a cost of one dollar per play in addition to the cost of the on-line game played. The general authority for these rules, as cited by the commission, is SDCL §§ 42-7A-21 and 42-7A-23.

A public hearing will be held in Room 412, 4<sup>th</sup> floor, State Capitol, Pierre, South Dakota, on June 2, 2016, at 10:15 a.m. CT. Copies of the proposed rules may be obtained from and written comments sent to the Department of Revenue, Legal Division, 445 East Capitol Avenue, Pierre, South Dakota 57501-3185. Copies of the rules are also available at [http://dor.sd.gov/Publications/Public\\_Notices/PDFs/EZrules2016.pdf](http://dor.sd.gov/Publications/Public_Notices/PDFs/EZrules2016.pdf) or at <http://rules.sd.gov/>. Written comments must be received by June 1, 2016, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-4701 at least 48 hours before the hearing.

## **FILINGS IN THE SECRETARY OF STATE'S OFFICE: (None)**

Note: A copy of the rules may be obtained directly from the above agencies or at <https://rules.sd.gov>. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

## **REMINDER OF HEARINGS SCHEDULED**

<b>5-10-2016</b>	<b>Department of Labor and Regulation: Division of Labor and Management</b> Amend rules to revise the workers compensation fee schedule; 42 SDR 149, April 25, 2016.
<b>5-13-2016</b>	<b>Department of Agriculture: South Dakota State Fair</b> Repeal a rule regarding health requirements for animals that is also addressed under ARSD 12:68:12 – Exhibition of Animals; 42 SDR149, April 25, 2016.
<b>5-16-2016</b>	<b>Department of Education: Board of Education</b> Amend Public School Accountability System rules to make changes for purposes of carrying over classifications from the 2014-15 report card to the 2015-16 report card; 42 SDR 145, April 18, 2016.
<b>5-19-2016</b>	<b>Department of Agriculture: South Dakota Value Added Finance Authority</b> Amend a rule to allow the board to commission more than one study a year; 42 SDR 149, April 25, 2016.
<b>5-23-2016</b>	<b>Office of the Secretary of State</b> Amend rules to update notary public application and change forms, update Uniformed Commercial Code rules, repeal outdated Business Trust and Farm Corporations and Syndicates rules, revise the charges for absentee voting information, and revise the additional registration fee for reprinting lobbyists' badges; 42 SDR 145, April 18, 2016.
<b>5-23-2016</b>	<b>Office of the Secretary of State: Board of Elections</b> Amend rules to specify a location on the voter registration form for cancelling a voter's registration, allow for a large print version of the voter registration form, and repeal the overseas registrant form; provide new language for Americans Disability Act (ADA) information on numerous election notices; provide municipalities and schools with another reason for a vacancy on the notice of vacancy; amend the notice of deadline for filing primary nominating petitions to include the filing deadline for independent candidates; create forms for notice of vacancy for newly incorporated municipalities and notice of vacancy for conservation district supervisor; amend format for primary, general, alternate optical scan ballots, and municipal election ballots; amend the instructions to

	voters on the optical scan ballots; create a ballot format for county question elections; amend the guidelines for acceptance of petitions to include the requirement for statewide candidate petitions to be verified against the statewide voter registration file; amend the five percent random sample process to include statewide candidates and use an up to date process for how the random sample is determined; create a new affidavit form for sponsors of statewide ballot measures; remove outdated language in the initiated constitutional amendment petition or initiated petition for repeal of constitutional provision and remove a statute reference that is no longer in state law; create petition for schools to implement a school sentinel program; repeal requirement for submission of a voter center plan and repeal the denied application process; amend the format for the official record of absentee ballots to allow both electronic and paper records and remove the requirement to be linked to the master voter registration file; 42 SDR 155, May 9, 2016.
<b>6-2-2016</b>	<b>Department of Revenue: South Dakota Lottery Commission</b> Amend rules to allow applications, registrations, and disclosure forms, that are required to be submitted to the Lottery for purposes of determining qualification for licensure, to be submitted using an electronic signature; adopt rules to offer the EZ Match instant win option in conjunction with any on-line game authorized by the Lottery Commission at a cost of one dollar per play in addition to the cost of the on-line game played; 42 SDR 155, May 9, 2016.

### **RULES REVIEW COMMITTEE MEETINGS**

The next meeting of the Interim Rules Review Committee will be held on Wednesday, June 1, 2016, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2016 Interim: July 12, August 22, September 26, and November 14.

**Note:** An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at <http://www.sdlegislature.gov/Rules/RulesManual.aspx>.

